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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,485	05/31/2001	Graham V. Poor	02054.0002U1	9474

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EXAMINER	
NGUYEN, JOSEPH D	

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 02/19/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/872,485	POOR ET AL.	
	Examiner	Art Unit	
	Joseph D Nguyen	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 May 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 May 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 6, 10, 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin Jr. et al. (6,610,105).

Regarding claim 1, Martin, Jr. et al. discloses a method for communicating via an intermediate system between a plurality of wireless devices having client-side software associated with a plurality of application programs and a plurality of remote systems having server-side software associated with the application programs (fig. 1A-2B, abstract, col. 9 line 16 thru col. 10 line 54), comprising the steps of:

a) storing in the intermediate system descriptions of application-level protocols (fig. 1A-6, col. 4 line 52 thru col. 5 line 17) and indications of correspondences between the application-level protocols and the application programs (fig. 1A-4A, col. 7 lines 33-59, and col. 10 lines 19-54), each application-level protocol having a corresponding association with one of the application programs (fig. 2B, 4A, col. 7 lines 33-59, and col. 10 lines 19-54);

b) storing in the intermediate system identifications of users and lists of application programs (fig. 2B-4B, col. 4 line 52 thru col. 5 line 25), and remote systems associated with the users (fig. 2b), each list listing the application programs associated with each user (fig. 2B-4B, col. 10 line 19 thru col. 11 line 28), and listing a remote system associated with each application program in the list (fig. 2B-4B, col. 10 line 19 thru col. 11 line 28);

c) in response to use of an application program by a user of one of the wireless devices (fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, col. 12 line 50 thru col. 13 line 14), the intermediate system receiving information identifying the wireless device used and identifying the application program used (fig. 2A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, col. 12 line 50 thru col. 13 line 14);

d) in response to receipt of the information identifying the wireless device used and the application program used (fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21), the intermediate system identifying the application-level protocol associated with the identified application program fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21), and the intermediate system identifying the remote system associated with the identified wireless device and identified application program (fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21);

e) in response to the use of the application program, the intermediate system receiving application program output from the identified wireless device (fig. 4A-6, col. 2

lines 34-67, col. 4 line 52 thru col. 5 line 17, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21), the application program output received in accordance with a transport-level protocol (fig. 4A-6, col. 2 lines 34-67, col. 4 line 52 thru col. 5 line 17, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21), each wireless device of the plurality of wireless hand-held devices communicating respective application program output to the intermediate system in accordance with the transport-level protocol (fig. 4A-6, col. 2 lines 34-67, col. 4 line 52 thru col. 5 line 17, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21); and

f) the intermediate system transmitting the received application program output in accordance with the identified application protocol to a remote system associated with the identified application program (fig. 1A-6, col. 4 line 52 thru col. 5 line 17, and col. 11 line 29 thru col. 13 line 14).

Regarding claim 6, Martin Jr. et al. further discloses the method claimed in claim 1, wherein the step of storing in the intermediate system identifications of users (# 128 fig. 2B) and lists of application programs (fig. 4B) and remote systems associated with the users comprises storing user configuration lists (fig. 2B-4A, col. 9 line 38 thru col. 11 line 28), each user configuration list including information identifying a user and information identifying one or more application programs associated with the user (fig. 2B-4A, col. 7 line 33 thru col. 8 line 6, and col. 9 line 38 thru col. 11 line 28).

Regarding claim 10, Martin, Jr. et al. disclose an intermediate system (#128 fig. 1A-2B, abstract, col. 9 line 16 thru col. 10 line 54) for facilitating communication

between a plurality of wireless devices having client-side software associated with a plurality of application programs and a plurality of remote systems having server-side software associated with the application programs (col. 9 line 16 thru col. 10 line 54), comprising:

a) a protocol configuration database in which is storable descriptions of application-level protocols (fig. 1A-6, col. 4 line 52 thru col. 5 line 17) and indications of correspondences between the application-level protocols and the application programs, each application-level protocol having a corresponding association with one of the application programs (fig. 1A-4A, col. 7 lines 33-59, and col. 10 lines 19-54);

b) a user configuration database in which is storable identifications of users and lists of application programs and remote systems associated with the users (fig. 1A-4A, col. 7 lines 33-59, and col. 10 lines 19-54), each list listing the application programs associated with each user (fig. 1A-4A, col. 7 lines 33-59, and col. 10 lines 19-54), and listing a remote system associated with each application program in the list (fig. 1A-4A, col. 7 lines 33-59, and col. 10 lines 19-54); and

c) a processor system (fig. 6, col. 12 line 50 thru col. 13 line 14) programmed to effect a method in accordance with the steps of:

- in response to use of an application program by a user of one of the wireless devices (fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, col. 12 line 50 thru col. 13 line 14), receiving information identifying the wireless device used and identifying the application

program used (fig. 2A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, col. 12 line 50 thru col. 13 line 14);

- in response to receipt of the information identifying the wireless device used and the application program used (fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21), identifying the application-level protocol associated with the identified application program (fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21), and the intermediate system identifying the remote system associated with the identified wireless device and identified application program (fig. 4A-6, col. 2 lines 34-67, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21);

d) in response to the use of the application program, receiving application program output from the identified wireless device, the application program output received in accordance with a transport-level protocol, each wireless device of the plurality of wireless hand-held devices communicating respective application program output to the intermediate system in accordance with the transport-level protocol (fig. 4A-6, col. 2 lines 34-67, col. 4 line 52 thru col. 5 line 17, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21); and

e) transmitting the received application program output in accordance with the identified application protocol to a remote system associated with the identified

application program (fig. 4A-6, col. 2 lines 34-67, col. 4 line 52 thru col. 5 line 17, col. 7 line 19 thru col. 8 line 16, and col. 10 line 19 thru col. 13 line 21).

Regarding claim 15, this claim is rejected for the same reason as set forth in claim 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2-5, 7-9, and 11-14, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin Jr. et al. (6,610,105) in view of Lincke et al. (6,397,259).

Regarding claim 2, Martin Jr. et al. further discloses the method claimed in claim 1, wherein the step of the intermediate system receiving information by log on identification and application program associated with the user and the action (fig. 1A-6, col. 7 line 19 thru col. 8 line 16, and col. 11 line 29 thru col. 13 line 14). However, Martin Jr. et al. does not specifically disclose a message having a header and a body, the header identifying the user by login identification, and the body identifying an action and an application program associated with the user and the action.

Lincke et al. teaches the intermediate system receiving a message having a header and a body (abstract, fig. 6-13, col. 17 line 29 thru col. 18 line 67), the header

identifying the user (abstract), and the body (col. 47 lines 35-67, and col. 78 lines 45-53) identifying an action and an application program associated with the user and the action (col. 78 lines 45-53, and col. 81 lines 11-36). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the Martin Jr. et al. with the teaching of Lincke et al. of the header and body of the message in order to security identification of the user and to transfer to the proper layer per user requests for action.

Regarding claim 3, Lincke et al. further discloses the method claimed in claim 2, wherein the body includes the application program output (when wireless device sends the request for mail and receives mail. Therefore, It would have been obvious to one skilled in the art that the mail message body includes the application program output) (fig. 6-14, col. 21 lines 11-19).

Regarding claim 4, Lincke et al. further discloses the method claimed in claim 3, wherein the application program output is an electronic mail message (col. 21 lines 11-19).

Regarding claim 5. Lincke et al. further discloses the method claimed in claim 2, wherein the action is selected from the group consisting of send mail and get mail (col. 17 lines-48-47).

Regarding claim 7, Martin Jr. et al. further discloses the method claimed in claim 6, wherein the step of the intermediate system receiving information by log on identification and application program associated with the user and the action (user (fig.

1A-6, col. 7 line 19 thru col. 8 line 16, and col. 11 line 29 thru col. 13 line 14). However, Martin Jr. et al. does not specifically disclose a message having a header and a body, the header identifying the user by login identification, and the body identifying an action and an application program associated with the user and the action.

Lincke et al. teaches the intermediate system receiving a message having a header and a body (abstract, fig. 6-13, col. 17 line 29 thru col. 18 line 67), the header identifying the user (abstract), and the body (col. 47 lines 35-67, and col. 78 lines 45-53) identifying an action and an application program associated with the user and the action (col. 78 lines 45-53, and col. 81 lines 11-36). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the Martin Jr. et al. with the teaching of Lincke et al. of the header and body of the message in order to security identification of the user and to transfer to the proper layer per user requests for action.

Regarding claim 8, Martin Jr. et al. further discloses the method claimed in claim 7, wherein each user configuration list includes information identifying a server associated with each application program (fig. 4A-4B, col. 10 lines 19-54), and login information for the user associated with the application program (fig. 2B-4B, col. 7 line 34 thru col. 8 line 16).

Regarding claim 9, Martin Jr. et al. further discloses the method claimed in claim 8, wherein the action is changed configuration (when the user tries to access different application program, and a user edits a list of choices on the mobile device using a

WML and the update to reflect those changes, which means the action is changed configuration) (fig. 2B, 4B, col. 10 line 8 thru col. 11 line 48), and the body includes fields having values to replace values in corresponding fields of the configuration list associated with the identified user (col. 2B, 4A-4B, col. 7 line 19 thru col. 8 line 16, and col. 10 line 8 thru col. 11 line 28). It would have been obvious to one skilled in the art that, when the user uses the wireless device to send and receive email. He/She can change the configuration and the email always includes the header and the body, and the body includes fields having values to replace values in corresponding fields of configuration list associated with the identified user.

Regarding claim 11, Martin Jr. et al. further discloses the method claimed in claim 1, wherein the step of the processor system receiving the message having the user log on identification and application program associated with the user and the action (fig. 1A-6, col. 7 line 19 thru col. 8 line 16, and col. 11 line 29 thru col. 13 line 14). However, Martin Jr. et al. does not specifically disclose a message having a header and a body, the header identifying the user by login identification, and the body identifying an action and an application program associated with the user and the action.

Lincke et al. teaches the processor system receiving a message having a header and a body (abstract, fig. 6-13, col. 17 line 29 thru col. 18 line 67), the header identifying the user (abstract), and the body (col. 47 lines 35-67, and col. 78 lines 45-53) identifying an action and an application program associated with the user and the action (col. 78 lines 45-53, and col. 81 lines 11-36). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the Martin Jr. et al. with

the teaching of Lincke et al. of the header and body of the message in order to security identification of the user and to transfer to the proper layer per user requests for action.

Regarding claim 12, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 13, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 14, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 16, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 17, this claim is rejected for the same reason as set forth in claim 8.

Regarding claim 18, this claim is rejected for the same reason as set forth in claim 9.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

Or:

(703) 305-9509 (for informal or draft communications, please label "PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA. Sixth floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph Nguyen

Jan. 26, 2004

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600